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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

KENNETH GREENLAND and

BRITTANY GRIESEL,

Defendants.

Case No. 2:20-mj-00892-VCF

**Order to Continue the Preliminary
Hearing (First Request)**

It is hereby stipulated and agreed, by and between Nicholas A. Trutanich, United States Attorney, through Jim W. Fang, Assistant United States Attorney, Sylvia A. Irvin, Assistant Federal Public Defender, counsel for Defendant Kennett Greenland, and Maysoun Fletcher, Esq., counsel for Defendant Brittany Griesel, that the preliminary hearings in the above-captioned matter for Greenland and Griesel, previously scheduled for October 30, 2020, at 4:00 p.m., be vacated and continued until a time convenient to the Court, but no earlier than 30 days from the current setting.

1. Federal Rule of Criminal Procedure Rule 5.1(d) provides that “[w]ith the defendant’s consent and upon a showing of good cause—taking into account the public

1 interest in the prompt disposition of criminal cases—a magistrate judge may extend the time
2 limits [for preliminary hearings] one or more times.” Here, the parties desire to explore the
3 potential to resolve this matter before defendants are formally charged by a criminal
4 indictment.

5 2. In that regard, the government will be providing defense counsels with limited
6 Rule 16 discovery in order to facilitate pre-indictment resolution. Defense counsels will need
7 additional time to review the discovery and discuss the case with their respective clients
8 prior to a preliminary hearing or indictment.

9 3. This continuance is not sought for the purposes of delay, but to allow defense
10 counsels an opportunity to examine the merits of this case before a potential resolution can
11 be reached between the parties.

12 4. Defendants are not in custody and agree to the continuance.

13 5. Denial of this request could result in a miscarriage of justice, and the ends of
14 justice served by granting this request outweigh the best interest of the public and the
15 defendants in a speedy trial.

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6. The additional time requested by this stipulation is excludable in computing the time within which indictment must be filed pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(b), and considering the factors under 18 U.S.C. § 3161(h)(7)(A) and (B)(i) and (iv).

DATED this 26th day of October, 2020.

NICHOLAS A. TRUTANICH
United States Attorney

s/ Jim W. Fang
JIM W. FANG
Assistant United States Attorney
Counsel for the United States

s/ Sylvia A. Irvin
SYLVIA A. IRVIN
Assistant Federal Public Defender
Counsel for Defendant Greenland

s/ Maysoun Fletcher
MAYSOUN FLETCHER, ESQ.
Counsel for Defendant Griesel

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

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v.

KENNETH GREENLAND and

BRITTANY GRIESEL,

Defendants.

Case No. 2:20-mj-00892-VCF

FINDINGS AND ORDER

Based on the pending Stipulation between the defense and the government, and good cause appearing therefore, the Court hereby finds that:

1. The parties desire to continue the preliminary hearing to facilitate pre-indictment resolution, and the government will be providing defense counsels with limited Rule 16 discovery for that purpose. Defense counsels will need additional time to review the discovery and discuss the case with their respective clients prior to a preliminary hearing or indictment. The Court finds good cause to continue the hearing to allow the parties to reach a pre-indictment resolution.

2. Both counsels for defendants and counsel for the government agree to the continuance.

3. Defendants are not in custody and agree to the continuance.

4. The continuance is not sought for the purposes of delay, but to allow defense counsels an opportunity to examine the merits of this case before a potential resolution can be reached between the parties.

1 5. Denial of this request could result in a miscarriage of justice, and the ends of
2 justice served by granting this request outweigh the best interest of the public and the
3 defendants in a speedy trial.

4 6. The additional time requested by this stipulation is excludable in computing
5 the time within which indictment must be filed pursuant to the Speedy Trial Act, 18 U.S.C.
6 § 3161(b), and considering the factors under 18 U.S.C. § 3161(h)(7)(A) and (B)(i) and (iv).

7 THEREFORE, IT IS HEREBY ORDERED that the preliminary hearing in the
8 above-captioned matter currently scheduled for October 30, 2020, at 4:00 p.m. be vacated
9 and continued to November 30, 2020 at 4:00 pm in LV Courtroom 3D before Magistrate Judge Cam Ferenbach.

10 DATED this 27 day of October, 2020.

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13 HONORABLE CAM FERENBACH
14 UNITED STATES MAGISTRATE JUDGE
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